

REMARKS/ARGUMENTS

The Office Action of July 21, 2008 has been carefully reviewed and these remarks are responsive thereto. Claims 6-8, 12-13, 24-26 and 30 were previously canceled without prejudice or disclaimer and new claim 37 has been added. No new matter has been added. Claims 1-5, 9-11, 14-23, 27-29 and 31-37 are presented for examination upon entry of the present paper. Reconsideration and allowance of the instant application are respectfully requested.

Interview Summary

Preliminarily, Applicants' representatives would like to express their appreciation for the time taken by Examiner Rampuria to discuss the instant application and prior art in a telephone interview on November 13, 2008. The following remarks include Applicants' substance of interview pursuant to MPEP § 713.04. Applicants discussed the merits of claim 1, new claim 37, and features related to new claim 38. The Examiner indicated that claim 37 is distinguishable over the applied references. The Examiner also indicated that features similar to those recited in claim 38 are distinguishable as well.

Amendments to the Claims

Applicants have amended claims 23, 27, 28, and 32 to correct minor informalities.

Rejections under 35 U.S.C. § 103

Claims 1-2, 9-11, 19-20, 27-29 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent no. 6,895,251 B2 to Soh et al. ("Soh") in view of U.S. publication no. 2002/0177454 A1 to Karri et al. ("Karri"). Claims 3-5 and 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Soh and Karri further in view of U.S. patent no. 6,678,361 B2 to Rooke et al. ("Rooke"). Claims 14-18 and 32-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Soh and Karri further in view of U.S. publication no. 2002/0077135 A1 to Hyon ("Hyon"). These rejections are traversed below.

Independent claim 1 recites, among other features, "synthesizing from the text message a synthesized voice signal, [and] generating a video content having an animated image as an image of a character that pronounces the synthesized voice signal." As discussed during the interview,

the Office Action at page 3 correctly indicates that Soh fails to disclose the recited features, and relies on Karri to allegedly remedy the deficiencies of Soh.

Notwithstanding whether a combination of Karri and Soh is proper, Applicants submit that Karri fails to disclose the above-noted features recited in claim 1 for at least reasons substantially similar to those discussed at pages 13-14 of Applicants' "Second Amendment" filed June 9, 2008. In short, and as discussed during the interview, Karri at paragraph [0023] merely describes that a funny can include special effects such as sound, vibration, and moving pictures. Merely adding sound does not fairly teach or suggest synthesizing from a text message a synthesized voice signal, much less generating a video content having an animated image as an image of a character that pronounces the synthesized voice signal as recited in claim 1. As discussed during the interview, even assuming (without admitting) that the description of funnies with moving pictures disclosed in Karri at paragraph [0023] can appropriately be interpreted as the funnies including a voice signal, Karri fails to disclose synthesizing that alleged voice signal based on the text of a received text message as recited in claim 1. Accordingly, claim 1 is patentably distinguishable over the applied references for at least these reasons.

In the event that the Office elects to maintain a rejection of claim 1 based on Karri, Applicants respectfully request the Office to provide a specific statement as to *how* Karri allegedly discloses the above-noted features recited in claim 1 in order to provide Applicants with a more substantive basis for responding.

Independent claim 19 recites features similar to those described above with respect to claim 1. As such, claim 19 is allowable for at least reasons substantially similar to those discussed above with respect to claim 1.

The dependent claims are allowable for at least the same reasons as their respective base claims because any of the additional applied references (e.g., Rooke and Hyon) fail to remedy the deficiencies of Soh and Karri described above (notwithstanding whether a combination of the applied references is proper).

New Claim(s)

Claim 37 is new and is supported by the specification¹ when read as a whole, and in particular, at paragraphs [0088], [0105]-[0108], [0112], [0115]-[0117] and Figures 3A-3B. During the interview, the Examiner agreed that claim 37 is distinguishable over the applied references. Applicants offer the following remarks in an effort to expedite the prosecution and to make of record the substance of the interview with respect to claim 37.

Claim 37 depends from (the system of) claim 19, and recites features related to the motion-generating module (of claim 19) including an animation module for selectively modifying a characteristic of an animated image based on at least one parameter specified in a text message. The applied references fail to fairly teach or suggest at least these features. In particular, Soh at col. 3, line 66 – col. 4, line 31 and Figure 4 describes a process wherein an originating mobile station selects a multimedia event to be subjected to transmission to a receiving mobile station in step S1. Soh continues that an index corresponding to a selected event is transmitted from the originating mobile station to a short message service center (SMC) in step S2. In Soh, in steps S3-S5, the SMC determines whether the receiving mobile station already contains the data corresponding to a selected multimedia event by using a database stored inside of the SMC; if the receiving mobile station has the data, the SMC sends only the index of the selected multimedia event to the receiving mobile station, and otherwise, both the index and data are sent to the receiving mobile station.

The above cited passage of Soh (or any passage of Soh, for that matter) fails to disclose at least the above-noted features recited in claim 37 related to selectively modifying a characteristic of an animated image based on at least one parameter specified in a text message. In fact, Soh teaches away from such features because Soh instead operates on the basis of an indexed database, wherein an originating mobile station specifies an index into a database maintained at the SMC in order to choose data from the database to send to the receiving mobile station.

Claim 38 is new and is supported by the specification when read as a whole, and in particular, at paragraphs [0041]-[0049], [0068]-[0070], and [0074]-[0075] and Figure 1.

¹ See, e.g., the instant application publication, US2006/0019636.

Applicants provide the following remarks to make of record the substance of the interview with respect to features similar to those now recited in claim 38.

Claim 38 recites “a converter module for selecting the animated image, wherein the text message from the sender terminal does not specify the animated image.” As discussed during the interview, and as described above in relation to claim 37, Soh at col. 3, line 66 – col. 4, line 31 and Figure 4 discloses an originating mobile station transmitting an index to the SMC for purposes of selecting the subject matter of an MMS message from a database stored in the SMC. In contrast, claim 38 places the selection of the subject matter of an MMS message (e.g., the recited animated image) at a converter module.

Claim 38 is distinguishable over Soh for at least these additional reasons. The other applied references fail to remedy the deficiencies of Soh (notwithstanding whether any combination of the references is proper).

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
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